7-8-04

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Atty. Dkt. No. 048679-0157

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Daniel J. Lipscomb et al.

Title:

SPIGOT

Appl. No.:

10/812,202

Filing Date:

03/29/2004

Examiner:

To be determined

Art Unit:

3754

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 431583885 US 07/07/04

(Express Mail Label Number) (Date of Deposit)

Roberta A. Cooper

(Printed Name)

Cooper

(Signature)

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 CFR §1.56</u>

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without*

Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even

entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 7/7/64

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number F Substitute for form 1449B/PTO Complete if Known INFORMATION DISCLOSURE 10/812,202 **Application Number** HIL 0 7 200 STATEMENT BY APPLICANT 03/29/2004 Filing Date **First Named Inventor** Daniel J. Lipscomb Date Submitted: July 7, 2004 **Group Art Unit** 3754 (as many sheets as necessary) **Examiner Name** To be determined Sheet Attorney Docket Number 048679-0157

	Cite No.1	U.S. Patent Document			Data (Datient	Pages, Columns, Lines,
Examiner Initials*		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear
•	A1	5,979,840		Hollister et al.	11/09/1999	
	A2	5,351,932		von Herrmann	10/04/1994	
	A3	5,273,253		Rogers	12/28/1993	
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	A31	662,955		McClelland	12/04/1900	
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Examiner Signature	Date Considered	

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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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number.				
Substitute for form 1449B/PTO	Complete if Known			
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(usé as many sheets as necessary)	Examiner Name	To be determined		
spect of 2	Attorney Docket Number	048679-0157		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document			Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	1
		Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Documents	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T ⁶
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶		
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